

IC 20-5.5-8

Chapter 8. Powers and Exemptions

IC 20-5.5-8-1

Powers of charter schools

Sec. 1. A charter school may do the following:

- (1) Sue and be sued in its own name.
- (2) For educational purposes, acquire real and personal property or an interest in real and personal property by purchase, gift, grant, devise, or bequest.
- (3) Convey property.
- (4) Enter into contracts in its own name, including contracts for services.

As added by P.L.100-2001, SEC.21.

IC 20-5.5-8-2

Restrictions on charter schools

Sec. 2. A charter school may not do the following:

- (1) Operate at a site or for grades other than as specified in the charter.
- (2) Charge tuition to any student residing within the school corporation's geographic boundaries. However, a charter school may charge tuition for:
 - (A) a preschool program, unless charging tuition for the preschool program is barred under federal law; or
 - (B) a latch key program;if the charter school provides those programs.
- (3) Except for a foreign exchange student who is not a United States citizen, enroll a pupil who is not a resident of Indiana.
- (4) Be located in a private residence.
- (5) Provide home based instruction.

As added by P.L.100-2001, SEC.21.

IC 20-5.5-8-3

Compliance with laws, charter, and Constitution

Sec. 3. For each charter school established under this article, the charter school and the organizer are accountable to the sponsor for ensuring compliance with:

- (1) applicable federal and state laws;
- (2) the charter; and
- (3) the Constitution of the State of Indiana.

As added by P.L.100-2001, SEC.21.

IC 20-5.5-8-4

Statutes, rules, and regulations not applicable

Sec. 4. Except as specifically provided in this article and the statutes listed in section 5 of this chapter, the following do not apply to a charter school:

- (1) Any Indiana statute applicable to a governing body or school corporation.

(2) A rule or guideline adopted by the Indiana state board of education.

(3) A rule or guideline adopted by the professional standards board (established by IC 20-1-1.4-2), except for those rules that assist a teacher in gaining or renewing a standard or advanced license.

(4) A local regulation or policy adopted by a school corporation unless specifically incorporated in the charter.

As added by P.L.100-2001, SEC.21.

IC 20-5.5-8-5

Applicable statutes, rules, and guidelines

Sec. 5. The following statutes and rules and guidelines adopted under the following statutes apply to a charter school:

(1) IC 5-11-1-9 (required audits by the state board of accounts).

(2) IC 20-1-1.5 (unified accounting system).

(3) IC 20-1-6 (special education).

(4) IC 20-5-2-7 and IC 20-6.1-3-7.1 (criminal history).

(5) IC 20-5-2-3 (subject to laws requiring regulation by state agencies).

(6) IC 20-6.1-4-15 (void teacher contract when two (2) contracts are signed).

(7) IC 20-6.1-6-11 (nondiscrimination for teacher marital status).

(8) IC 20-6.1-6-13 (teacher freedom of association).

(9) IC 20-6.1-6-15 (school counselor immunity).

(10) For conversion charter schools only, IC 20-6.1-4, IC 20-6.1-5 and IC 20-6.1-6.

(11) IC 20-8.1-3 (compulsory school attendance).

(12) IC 20-8.1-4 (limitations on employment of children).

(13) IC 20-8.1-5.1-13, IC 20-8.1-5.1-15, and IC 20-8.1-5.1-15.5 (student due process and judicial review).

(14) IC 20-8.1-5.1-10 (firearms and deadly weapons).

(15) IC 20-8.1-7 and IC 20-8.1-8 (health and safety measures).

(16) IC 20-8.1-12 (reporting of student violations of law).

(17) IC 20-10.1-2-4 and IC 20-10.1-2-6 (patriotic commemorative observances).

(18) IC 20-10.1-16, IC 20-10.1-17, or any other statute, rule, or guideline related to standardized testing (assessment programs, including remediation under the assessment programs).

(19) IC 20-10.1-22.4 (parental access to education records).

(20) IC 20-10.2 (accountability for school performance and improvement).

As added by P.L.100-2001, SEC.21. Amended by P.L.276-2003, SEC.15.

IC 20-5.5-8-6

Bureau of Apprenticeship and Training

Sec. 6. (a) A charter school may not duplicate a Bureau of Apprenticeship and Training (BAT) approved Building Trades

apprenticeship program.

(b) A student in a charter school may not be excluded from participating in a BAT approved Building Trades apprenticeship program that is offered in a non-charter school.

As added by P.L.100-2001, SEC.21.